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In re Application of
Bradley Cain
Application No. 09/455,955
Filed: December 7, 1999
Attorney Docket No. 120-241

OFFICE OF PETITIONS

: DECISION ON PETITION

This is a decision on the petition filed July 19, 2007, which is being treated as a petition under 37 CFR 1.8(b), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to timely respond to the Office action of February 25, 2004, which continued to run from the final Office action mailed September 24, 2003, which set a three (3) month shortened statutory period for reply. Accordingly, a reply was due on or before March 24, 2004.

Petitioner states that a timely reply was mailed via certificate of mailing on March 23, 2004, which included the following papers: a request for a three (3) month extension of time and a Notice of Appeal with authorization to charge petitioners deposit account. The original reply is now in the file.

As authorized the Notice of Appeal and extension of time will be charged to petitioner's deposit account.

In view of the above, the holding of abandonment for failure to timely file a reply to the Office action of September 23, 2003 is hereby **withdrawn** and the application **restored to pending status**.

Telephone inquiries concerning this decision should be directed to April M. Wise at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

This application is being referred to the Technology Center for appropriate action in the normal course of business on the reply Appeal Brief previously received July 27, 2004.

/Carl Friedman/
Carl Friedman
Petitions Examiner
Office of Petitions